

For those of you who remember, I'm the former Commissioner of the New York City Department of Environmental Protection and I've often been before this Commission in a couple of decades past. I must say I presume we would all be rather dealing with the issues we used to deal with then - releases from Cannonsville and Popackton, trout, passing flows of Montague rather than be stuck with fracking. But history has given us fracking, and like all people in public life today we have to look at global warming, 'cause global warming is what we're gonna leave our children and our grandchildren's children and we will all be responsible for the mark of Cain that will be left on this generation if we do not in our own decision-making consider that.

Now, I'd like to echo what David Berg said about the measured approach the DRBC is taking to this. It is consistent with my best recollections of the DRBC and I hope you continue to do so.

It is to that measured approach I wish to appeal.

I want to start with the experience that's going on in Northern Virginia at the moment where there is a controversy over whether or not to allow fracking in the George Washington National Forest which is the headwaters for many of the water sources for Washington DC and Northern Virginia.

The major water purveyors in that area, such as the Fairfax County Water Authority and the Washington Aquaduct Company have all come out in opposition to fracking in the national forest unless and until it is scientifically demonstrated that fracking will not have an environmental impact on the water supply functions of that forest.

Now, the issue of science has been bitterly debated for the last five years, and I would like to suggest to this Commission that the fact that it has taken five years for the industry to FAIL to demonstrate that this is a scientifically successful thing is a fact worth thinking about.

I have dealt with many of the industry claims, such as for example that the shale level is impervious and therefore there can be no migration of pollution up through the shale.

As DEP Commissioner I looked at a lot of the construction data in terms of the shale we went through for our water tunnels, there were fissures as long as seven miles.

As you heard today, there's a great deal of evidence that the claims of the industry that this is a safe process don't exist.

And in fact I'm relatively confident, that if they did exist half the phds on the planet would be getting research grants from the fracking industry to produce the papers that would make the link that they have not linked.

Instead, as you heard David Berg said, we get an industry that is telling us we gotta gut the endangered species act, that the EPA should not collect data on methane emissions from [gas] plants and in short, this is not a group of people that seem to welcome quote, science, unquote.

Now, the DRBC is legally charged with protecting the water supply.

Now, many people approach the issue of gas fracking as a cost - benefit tradeoff. What I hope much of the testimony you've heard here will demonstrate that even if you believe that is your institutional mission, which I think is incorrect, the truth of the matter is the benefits don't exist. You heard about the problems of methane and global warming, you've heard about the issues of health; You heard about the damage to the environment. You heard about the whole question of property values. As a bio-politician, I'm gifted with second sight on this one. This is going to be the issue that puts a ban in New York State over the top as people start adding up what the inability to get household insurance and mortgage coverage is going to mean for them.

But, most of all, what I want to stress for you given my limited time, is take a good look at this map. This is a map of the perfect landscape for gathering water - for gathering clean, abundant drinking water. [showed map of DRB with forests indicated - ADD link here to this kind of map]

This will not be the same kind of map if you have gas fracking tearing this region apart with acres and acres of pads, lots of roads, lots of pollution...

This is what this debate is really all about. Are we going to preserve this landscape that as I say is a perfect landscape for the water that serves New York City, that serves Philadelphia, that serves many towns along the Delaware River Basin - or are we going to sacrifice it to a process that has no benefit and demonstrated costs.

That leads me to what I believe you're going to be given a proposal from the people of the Delaware River Basin.

We're going to formally propose that this Commission permanently ban gas fracking in the Delaware River Basin; that gas fracking in the Delaware River Basin is inconsistent with your institutional mission and is inconsistent with the highest and best use of this landscape.

Basically, the state of New York has been wise enough to recognize that a water special landscape should have fracking kept out of it and I hope the DRBC thinks so as well.